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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,817	12/28/2000	Gyorgy Szondy	4925-73	9297

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EXAMINER

SHAW, JOSEPH D

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 04/05/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,817

Applicant(s)

SZONDY, GYORGY

Examiner

Joseph D Shaw

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2141

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Interpage (WWW Free Fax Demonstration) in view of Admitted Prior Art (APA).

- a. As per claims 1 and 5, Interpage teaches:

a data store for storing a user-supplied designation of another network node (user fills out a form to submit to a server containing the destination fax number, server inherently stores the number into memory when the form is submitted; page 1, line 19);

a sensible indicator for indicating whether the user has requested redirection of data content (user submits the "Send fax" button to submit form and have the server process the task (sensible indicator) and send content to the fax machine indicated; page 2, line 2); and

a data path operatively connected to the data store and to the sensible indicator and adaptable to route data content to the terminal or to the other network node designated in the data store according to the sensible indicator (inherent when the user submits the "send fax"

Art Unit: 2141

to the server the server sends the fax via some data path to the fax machine; page 1, lines 7-13).

However, Interpage does not explicitly teach the user being a user of a mobile terminal. APA teaches that mobile terminals are capable of retrieving Internet content (the fax request form of Interpage) and viewing the information (page 2, lines 6-11).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Interpage invention to include having the user of a mobile terminal access to the fax service because wireless communication devices, in particular "Internet-ready" wireless terminals, are becoming more common, as taught by APA (page 2, lines 6-9), and wireless terminals increase user convenience by allowing them to perform data communications on the go.

b. As per claims 2 and 6, Interpage discloses the claimed invention modified by APA as described above in claims 1 and 5 and furthermore teaches:

the content from the server being in HTML format (page 1, lines 23-25, well-known that web pages can be written in HTML); and

selectably routing content to the terminal or to the other network node (when the user submits the "send fax" to the server the server sends the fax to the fax machine; page 1, lines 7-13).

However, the modified Interpage invention does not explicitly teach converting the HTML content to WAP format. APA teaches the conversion of Internet content formats (HTML) to WAP-defined content formats (page 2, lines 16-18).

Art Unit: 2141

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the modified Interpage invention to include having the HTML format be converted into a WAP format, as taught by APA, because WAP is intended to be an open specification, ensuring that content written to that format will be usable on various terminal types from various manufactures, as taught by APA (page 2, lines 18-20).

c. As per claims 4 and 8, Interpage discloses the claimed invention modified by APA as described above in claims 1 and 5. However, the modified Interpage invention does not explicitly teach resetting the sensible indicator after content is redirected. "Official Notice" is taken that when forms (like the one in the modified Interpage invention) are submitted to their server, the action required by the form is generally performed only once by the server. The "Send fax" button on the Interpage forms initiates the redirection of the web page to the fax machine, as described above in claims 1 and 5, by sending an sensible indicator (instruction) to the server.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have the sensible indicator in the modified Interpage invention reset after the task of content redirection is performed because it is well-known that forms are usually only processed once by the server and not resetting would cause the server to be in an infinite loop performing the instruction (redirecting the data).

Art Unit: 2141

3. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Interpage (WWW Free Fax Demonstration) in view of Admitted Prior Art (APA) as applied to claims 2 and 6 above, and further in view of Nachman et al. (2001/0027474).

d. As per claims 3 and 7, Interpage discloses the claimed invention modified by APA as described above in claims 2 and 6. However, the modified Interpage invention does not explicitly teach sending the content in HTML format to the other network node. Nachman teaches:

the data path being adaptable to instruct the server to send the content in HTML format to the network node (the server replies with an HTTP response in HTML format; pages 2-3, paragraph 0032, lines 9-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the modified Interpage invention to be further adaptable to send the content in HTML format, as taught by Nachman, because now data can be formatted in either HTML or WML format depending on the capabilities of the device receiving the content, as taught by Nachman (pages 2-3, paragraph 0032, lines 9-15).

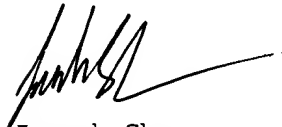
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Shaw whose telephone number is 703-305-0094. The examiner can normally be reached on Monday - Thursday and alternate Fridays, 7am - 4pm.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2141

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joseph Shaw
Examiner
AU 2141



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER